IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

GUARDIANSHIP PETITION NO. 68 OF 2005

In the matter of Shri. Naresh Narayan Kadam of unsound mind,
AND
In the matter of Guardianship and Wards Act, 1987,
AND
In the matter of the Mental Health Act, 1987

Shri. Anant Ganpat Kadam ... Petitioner.

Shri. D.B. Parab, Advocate for Petitioners.

CORAM : S.C. DHARMADHIKARI, J.

DATE : 7th June, 2006

P.C.

. Heard Mr. Parab appearing for the petitioner. Mr. Parab states that the petitioner is not seeking any relief under the Mental Health Act, 1987. In the light of this statement, the claim in petition is restricted

to Guardians and Wards Act, 1890 and dealt with as such.

2. Perused the order passed by this Court directing constitution of panel to examine and report about the mental condition of the ward Naresh Narayan Kadam.

3. The medical report of the panel constituted by Dean, Sir, J.J. Group of Hospitals, Mumbai certifies the ward as severely mentally retarded.

4. In the light of the contents of the petition and the statement of the learned Advocate that the petition has been duly served and the ward is residing with and looked after by him, the same is made absolute in terms of prayer clause (a).

5. The amount of Rs.78,347/- lying with UCO Bank, Malad, Mumbai shall be paid over to the

petitioner.

6. The Petitioner has undertaken that the said amount would be utilised for the maintenance of the mentally retarded ward. He has no interest and is not claiming any amount from the said sum. It is only because the ward is incapable of looking after himself and for his food, clothing, medicines etc., the above amount will be utilised, it is directed that the petitioner can collect the aforesaid sum.

7. The petition is disposed of and made absolute in above terms. Needless to state that amount deposited with UCO Bank in the name of deceased mother of the ward be paid over to petitioner with accrued interest.

(S.C. DHARMADHIKARI, J.)